

**MCCARTHY, SWEENEY & HARKAWAY, P.C.**

**SUITE 700**

**1825 K STREET, N.W.**

**WASHINGTON, D.C. 20006**

**(202) 775-5560**

**FAX (202)-775-5574**

**ANDREW P. GOLDSTEIN**  
**apg@mshpc.com**

**www.mshpc.com**

228972

March 10, 2011

Cynthia T. Brown  
Chief of the Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

**ENTERED**  
**Office of Proceedings**

**MAR 10 2011**

**Part of**  
**Public Record**

Re: Docket No. 42119  
North America Freight Car Association v. Union Pacific Railroad Company

Dear Ms. Brown:

On December 17, 2010, the Board issued an order extending by 90 days, until March 10 2010, the period for mediation to take place. Although NAFCA has been disappointed that UP has not responded to mediation overtures more promptly, we were advised today by counsel for UP that UP will be prepared to provide to us, by March 15, 2011, a date certain when it will tender a counter-proposal to NAFCA.

That being the case, NAFCA hereby requests an extension of 60 days to pursue mediation and that the proceeding be held in abeyance during that period.

Respectfully submitted,

*Andrew P. Goldstein*

Andrew P. Goldstein  
Attorney for  
North America Freight Car Association

Cc: Counsel for UP